



**REPORT TO CORE AREA LIQUID WASTE MANAGEMENT COMMITTEE
MEETING OF WEDNESDAY 22 SEPTEMBER 2010**

SUBJECT COMMUNITY BENEFITS FRAMEWORK – CORE AREA WASTEWATER TREATMENT PROGRAM

ISSUE

Should the Capital Regional District (CRD) develop a community benefit framework to establish an amenity fund for communities that host facilities associated with the Core Area Wastewater Treatment Program (CAWTP) and if so, under what conditions and to what extent?

BACKGROUND

The CRD has a history of effectively mitigating impacts from capital projects by conducting siting processes that engage the public and by preparing environmental and social reviews. Both of these processes have been successful in identifying impacts and mitigation measures. Example projects include; the Saanich Peninsula wastewater treatment plant, Currie Road pump station and Trent pump station. The CRD also has a policy to provide unlimited asphalt warranty to mitigate any concerns related to future municipal road maintenance costs associated with CRD underground utility installations.

During discussions with the public and reviews of wastewater treatment projects elsewhere, questions have been raised about whether community benefits would be provided to communities that host facilities, in addition to mitigation, as part of the CAWTP. The CRD commissioned a report to examine this question and to provide additional information to the Core Area Liquid Waste Management Committee (CALWMC) to assist with making decisions.

The report in Appendix A, *Considerations in Preparing a Community Benefit Framework for the Capital Regional District's Core Area Wastewater Treatment Program (Westland Resource Group, July 2010)*, discusses the purpose and goals of providing amenities to communities for hosting wastewater treatment infrastructure and also reports on a survey of communities implementing major wastewater treatment projects. The findings indicate that projects are generally fully mitigated and that the provision of funding for community amenities is the exception.

The CAWTP is made up of below-ground and above-ground components. The two proposed major above-ground facilities at McLoughlin (Esquimalt) and Hartland (Saanich) represent approximately 85% of the capital value of the CAWTP. These above-ground structures along with pump stations will have a visual impact and will require on-going operation and maintenance which will involve, for example, regular vehicular traffic. The treatment plant at McLoughlin Point and the biosolids energy centre at Hartland landfill are not in relative close proximity to residential neighbourhoods. In the case of the McLoughlin Point facility, the nearest Esquimalt neighbourhood is over 0.5 km away. The new and upgraded pump stations will have the same impact as many of the existing sewage pump stations that are currently in operation throughout the CRD. It is anticipated that the addition of grit removal at the existing screens at Macaulay and Clover points will have a minor impact on the operational requirements for these facilities.

The below-ground components of the project include pipelines, tunnels and outfalls. These components typically have minimal or no long-term social, financial or environmental impacts on the community, particularly if the pipelines are buried under roadways.

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Each of these types of facilities may have a varying degree of impact on communities that host them – insignificant to moderate for pump stations and grit removal facilities and low to high for the treatment plant and biosolids facilities, depending largely on the proximity of these facilities to existing residential populations.

There are numerous examples of projects, including those in the CRD, where mitigation has been provided to make installations more acceptable and fit into existing neighbourhoods. So the question arises, should the CRD go beyond its historical approach of fully mitigating infrastructure projects by providing a community amenity fund?

There are only few examples where jurisdictions have provided a community amenity fund to municipalities hosting major wastewater facilities as outlined in Table 2 of the attached report (page 11). The CRD did not provide a community amenity fund for the Saanich Peninsula wastewater treatment plant which would have a capital construction value well over \$50 million in today's dollars. Table 4 (page 17) of the report provides examples of amenities potentially relevant to the CAWTP.

Establishing a community amenity fund for the CAWTP is a policy decision that may establish an expectation for all future municipal, CRD, provincial and federal projects in the region. As such, it would be appropriate to establish a threshold at which point a community amenity policy would apply. A minimum capital value for a project to qualify would be a simple method in determining when a community amenity fund applies. The capital value of most projects in the region is less than \$50 million. Therefore, establishing the capital value threshold at this level or above would imply that a community amenity fund would only be intended for significant capital projects that have a social, financial or environmental impact on a community.

A percentage of the capital cost depending on the level of impact, offers the simplest way for the CRD to determine the value of the community amenity fund.

The current capital cost estimates do not include an allowance for a community amenity fund. It is expected that a community amenity fund would not be cost-sharable with senior levels of government. An arbitrary allocation of 1% of the capital costs of the entire project represents approximately \$6 million—about \$2.5 million each for the McLoughlin Point and Hartland biosolids facilities. The balance of \$1 million relates to the other components of the CAWTP.

If a decision is made to institute a community amenity fund, the next decision required is how to allocate it. There are at least six organizational alternatives to administer a community amenity fund and each of them has specific advantages and disadvantages as outlined in the attached report (pages 20-26). The organizational alternatives range from a region-wide approach to a neighbourhood-focused approach. Alternative B, as outlined in the report, is the most streamlined and gives the CALWMC the responsibility to authorize the budget for the community amenity fund and delegates the municipality to identify and provide the community amenity. The municipality hosting a facility is in the best position to determine the needs of its community and to administer it under the supervision of the respective council.

ALTERNATIVES

Three alternatives for addressing community amenities have been considered:

Alternative 1

That the CALWMC recommend to the Board that the CRD:

- a) Commit to fully mitigating identified adverse effects of building and operating wastewater facilities.
- b) Not provide funding for community amenities for the CAWTP.

Alternative 2

That the CALWMC recommend to the Board that the CRD:

- a) Commit to fully mitigating identified adverse effects of building and operating wastewater facilities.
- b) Provide funding for community amenities for project components that have an overall capital cost exceeding \$50 million.
- c) Establish a community amenities fund totaling 1% of the capital cost for applicable project components.
- d) Allow the host municipal councils to determine how the community amenities fund allocations will be spent.
- e) Authorize staff to discuss the potential for sharing the costs of a community amenity fund with provincial and federal governments.

Alternative 3

That the CALWMC recommend to the Board that the CRD:

- a) Commit to fully mitigate identified adverse effects of building and operating wastewater facilities.
- b) Provide funding for community amenities for projects that have an overall capital cost exceeding \$50 million and result in a long-term financial, social or environmental impact(s).
- c) Develop a community amenities fund to a maximum of 1% of the capital value for applicable project components based on the CALWMC assessment of the level of impact derived from a technical evaluation and input from the public based on a graduated scale depending on the level of impact, low, moderate or high.
- d) Undertake an assessment of the level of impact one year after completion of the facility.
- e) Allow the host municipal councils to determine how the community amenities fund allocations will be spent.
- f) Authorize staff to discuss the potential for sharing the costs of a community amenity fund with provincial and federal governments.

IMPLICATIONS

Alternative 1

Financial Implications

Additional funding for community amenities would not be necessary.

Public and Inter-municipal Implications

The status quo for would be maintained for locating CRD facilities namely that mitigation (odour control, noise attenuation, aesthetics, etc.) would be included in the project design.

Alternatives 2 and 3

Financial Implications

It is very likely that the cost of a community amenity fund would not be shareable with senior levels of government and would be funded 100% by the CRD. Establishing the basis for determining the quantum of the community amenity fund is subjective and the arbitrary selection of a percentage rate would be open to criticism because of the lack of a basis to justify it. However, it is important to develop a simple and easy way to establish the value to avoid unreasonable costs. This will allow for a process that is

easy to administer and very transparent once the percentage value is determined. Under Alternative 3, a graduated scale would have to be developed based on the level of impact determined by the CRD in consultation with the municipality with input from the public. The impact assessment would be based on an evaluation of social, financial and environmental factors. For example, a four point scale might include high impact – 1%, moderate impact – 0.6%, low impact – 0.3% and insignificant – no amenity funding.

Public Implications

The CRD can expect strong public support for the provision of community benefits from the public in municipalities hosting a wastewater facility. The public in other municipalities may raise concerns about the cost and fairness of providing amenities particularly as much of the public concern about the impact of wastewater facilities is based on perception. The perception that the facility will emit unacceptable level of noise, odour, will be unsightly and result in heavy traffic volumes accessing the facility. For example, prior to construction of the Currie Road sewage pump station in Oak Bay, the CRD purchased homes in the neighbourhood in response to public concerns. The perceived problem of noise, odour and aesthetics were not realized and the homes were subsequently sold. Today the Currie Road pump station sits in a neighborhood of million dollar homes.

The challenge for the CRD in establishing a policy on community amenities funding will be obtaining agreement on whether or not there are long term financial, social and environmental impacts and to what extent. For example, in the case of the Currie Road pump station it became clear that there were few public concerns after the facility had been constructed and put into operation as the CRD had no difficulty in selling the homes it purchased. In order to avoid dealing with public perception, the assessment of the impact would best be carried out following commissioning of the facilities.

Inter-municipal Implications

As mentioned above, a decision to provide community amenity funding would likely set precedence for the CRD and an expectation by municipalities that a similar policy would be implemented for projects and facilities that are perceived to have a social, environmental or economic impact on a community. Such a policy may influence the willingness of a municipality to host facilities. The CRD provides services that are less costly to provide on a regional basis than on an individual municipal basis. In that respect, while a municipality may have to host a facility, it is benefiting from economy of scale that regional facilities provide. This was clearly illustrated in the cost estimate of \$2 billion for Option 3 which included 11 distributed treatment plants.

CONCLUSIONS

The capital cost estimate for the McLoughlin option has a provision for architectural and landscaping treatments to ensure that the facility is aesthetically pleasing. The budget also includes allowances for noise attenuation, odour control and covering of process tanks. These amounts are still subject to approval by senior government. However, CRD staff believes that community amenities funding will not be an eligible cost for senior government funding. Thus any funding allocated to a community amenities fund will be funded entirely by local residents in the core area.

There are a few examples where jurisdictions have provided community amenities funding to municipalities hosting major wastewater facilities. If a decision is made to institute a community amenity fund, a percentage of the capital cost of a wastewater treatment facility, depending on the level of impact, offers the simplest way for the CRD to benefit a local community for being the host of a significant component of the CAWTP.

Establishing community amenities funding for the CAWTP is a policy decision that may establish an expectation for future CRD projects. A decision to provide community amenity funding would likely set

precedence for the CRD and an expectation by municipalities that a similar policy would be implemented for projects and facilities that are perceived to have a social, environmental or economic impact on a community. Such a policy may influence the willingness of a municipality to host facilities.

RECOMMENDATION

That the Core Area Liquid Waste Management Committee recommend to the Board that the Capital Regional District:

- a) Commit to fully mitigate identified adverse effects of building and operating wastewater facilities.
- b) Provide funding for community amenities for projects that have an overall capital cost exceeding \$50 million and result in a long-term financial, social or environmental impact(s).
- c) Develop a community amenities fund to a maximum of 1% of the capital value for applicable project components based on the CALWMC assessment of the level of impact derived from a technical evaluation and input from the public based on a graduated scale depending on the level of impact, low, moderate or high.
- d) Undertake an assessment of the level of impact one year after completion of the facility.
- e) Allow the host municipal councils to determine how the community amenities fund allocations will be spent.
- f) Authorize staff to discuss the potential for sharing the costs of a community amenity fund with provincial and federal governments.

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COMMENTS

TB:hr:jta
Attachment: 1

Considerations in preparing a Community Benefit Framework for the Capital Regional District's Wastewater Treatment Program



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Making a difference...together

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Summary

The Province of British Columbia has directed the CRD to provide sewage treatment by 2016. In complying with this directive, an extensive program of technical analysis, siting studies, impact assessment, and public involvement has been conducted. After considerable review of alternatives, the CRD has determined that treatment facilities will be constructed at McLoughlin Point and Hartland North, with ancillary facilities at Macaulay Point, Clover Point, and Saanich East.

During discussions with the public and in reviewing wastewater facilities elsewhere, questions were raised about whether “community benefits” would be provided as part of the CRD wastewater program. The CRD commissioned a study to examine this question and provide information to support related decisions. This report presents the results of the investigation into community benefits programs.

The report provides the following main findings.

- “Community benefit” means value that a community derives from an amenity (*e.g.*, new or expanded recreation facilities or provision of sidewalks). Community benefits are not considered to be related to the impact of a project, whereas mitigation is directly linked to project impacts.
- No legal requirement exists in British Columbia to provide community benefits as part of the process of siting public facilities. Indeed, it could be argued that the public facilities are themselves a community benefit.
- Construction and operation of CRD wastewater treatment infrastructure will result in environmental and social impacts that require mitigation. The mitigation will be related to such factors as land use change, environmental effects, noise, views, traffic, and odour. Mitigation can resolve many community concerns associated with public infrastructure projects.
- The CRD has a proven record of effectively mitigating the effects of urban infrastructure projects. In the CRD, mitigation planning typically involves communication with members of the public and key stakeholders that are affected by a project.
- Some impacts may be unmitigable. If a project results in impacts to natural or human-made features that are rare or irreplaceable, those impacts may not be capable of being mitigated. In these cases, only compensation, such as community benefits, would be a valid response to the impact.

- The CRD provided community benefits as part of developing the Hartland Landfill. In 1994, approximately 200 acres of surplus land purchased during creation of the Hartland Landfill was used to establish Mount Work Regional Park.
- The private sector regularly provides amenities as part of community benefits packages that accompany government approvals for developments or other changes in land use. Density bonus provisions under British Columbia’s *Local Government Act* promote the negotiated allocation of amenities during the development process to maintain or improve the quality of communities.
- Applying a Community Benefit Framework (CBF) in discussions of major infrastructure projects can contribute to effective community engagement and the development of practical responses to community concerns. Discussions of mitigation measures can support these same goals.
- Several urban wastewater infrastructure projects in Canada and the United States have delivered community benefits or amenities. Wastewater treatment facilities constructed in the past decade have offered substantial benefits to the surrounding community, such as public parks or greenspace, community centres, and community funds. When compared with entirely new wastewater facilities, upgrades or expansion of existing facilities offer more modest community benefits, if any.
- As regional representatives and policy makers, the CRD Directors need to consider the broader implications of developing and applying a community benefits initiative. The CRD can expect substantial public support for the provision of community benefits in areas where wastewater facilities will be located. In non-benefiting areas, concerns may be raised about the cost and fairness of providing such amenities.
- With the exception of Hartland Landfill, community benefits (beyond mitigation) typically have not been provided for publicly-funded infrastructure in the region. The precedent set by providing benefits for the wastewater program can be expected to influence other public infrastructure projects in the region.
- The CRD will need to:
 - a. Determine whether community benefits should be considered for areas where wastewater treatment facilities are located, and if so...
 - b. Identify the community benefit framework process that best applies to the wastewater program, in which wastewater treatment and conveyance facilities will be located in several municipalities.
 - c. Develop community benefit principles that the CRD and affected municipalities would apply.
 - d. Specify the methods of community engagement to be applied in implementing the framework.

The report raises several issues that are central to a CRD decision on community benefits associated with the wastewater treatment program.

- a. Costs of mitigating impacts likely can be shared with senior government, whereas costs of community benefits unrelated to the project effects probably cannot be shared.
- b. Most of the community benefits programs implemented in other jurisdictions predate the 2008 economic crisis. In today's financial climate, it is unlikely that such generous programs would be offered.
- c. Although treatment facilities are perceived as being unpleasant neighbours, the provision of sewage treatment is necessary to maintaining human and environmental health, and to comply with government regulations. Such facilities, therefore, should be considered a public good, which could raise questions about why additional benefits unrelated to project impacts should be provided.
- d. The *Environmental Impact Statements* prepared for the wastewater facilities contain many commitments for CRD action to mitigate project impacts, including high levels of architectural treatment and design, and measures to reduce the effects of construction on neighbours. These mitigation actions were formulated in response to information received from CRD residents and municipalities about project effects, and some could be considered community benefits.
- e. Many members of the public may not be concerned about whether an action is considered a benefit or mitigation. For instance, if the project affects public access, it may not matter to residents whether resulting construction of a sidewalk is considered mitigation of an impact or a benefit to the neighbourhood.
- f. One of the favourable results of the recent changes to the CRD wastewater system configuration is the substantial reduction in program cost. Providing community benefits has the potential to increase project cost.
- g. In past discussions, the CALWMC expressed concern about creating expectations that the CRD would provide amenities unrelated to project effects. Providing community benefits for land uses that are perceived as unpleasant sets a precedent that could affect other regional and municipal projects. Care would be needed to avoid creating expectations that amenities would be provided for all public projects.

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1.0 Introduction

Communities depend on infrastructure that provides services such as water treatment and waste disposal. The public often sees this kind of essential infrastructure as disruptive and unsightly, so the facilities that provide these services are often planned to be “out of sight and out of mind” (Environmental Defense 2007). Additionally, some public infrastructure (*e.g.*, a sewage treatment facility in a residential neighbourhood) can be perceived to be a health risk and have a negative effect on adjacent property values (Farber 1998). Finally, public concerns about traffic, noise, odours, and landscape change have contributed to antagonistic relations between local governments providing services and those being served (Environmental Defense 2007).

Applying a Community Benefit Framework (CBF) in discussions of major infrastructure projects can contribute to effective community engagement and the development of practical responses to community concerns. The following steps related to CBFs can help avoid delays in construction and build positive relations between the project proponents and the communities where the construction takes place:

- identify community consultation models appropriate to the project (APaNGO 2007),
- partner with affected neighbourhoods in facility design and amenity identification, and
- incorporate sustainable and aesthetic design elements into the facilities (Environmental Defense 2007).

This report discusses the purpose and goals of a CBF, particularly in relation to the Capital Regional District (CRD) Core Area Wastewater Treatment Program. A review of Community Benefit Agreements (CBAs) is provided, followed by an overview of community benefits generated by other wastewater treatment infrastructure projects. Five organizational structures are presented as alternative models for engaging communities in identifying amenities and benefits. Finally, a list of ‘next step’ recommendations is provided.

Relevant terms

To ensure clarity of discussion, several terms need to be defined for the purpose of this report. The terms are listed alphabetically.

“Amenity” means something provided to a community that enhances the range or quality of services available (*e.g.*, greenways, playgrounds, sports fields) or improves an area’s appearance.

“Community benefit” means a value that a community derives from an amenity (*e.g.*, new or expanded recreation facilities or provision of sidewalks). For the purposes of this report, community benefits are not considered to be related to the impact of a project, whereas mitigation is directly linked to project impacts.

“Compensation” means a payment made or action taken as reparation for a project impact that cannot be mitigated. An example of typical compensation is the provision of habitat to replace habitat harmed or lost by construction or operation of a facility. Compensation is not mitigation, in that it does not avoid or reduce an impact, but rather provides a replacement for an identified loss. If the compensation is an amenity desired by a community, then the compensation could be considered a community benefit.

“Impact” means the effect of construction or operation of a facility, usually including effects on the environment, plant or animal life, land uses, the economy, or human beings (individuals, groups, or communities). Projects can have beneficial impacts, but the term “impact” usually implies an adverse effect. Impacts are often identified during the preparation of environmental impact studies.

“Mitigation” means an action taken to avoid or reduce the extent, duration, magnitude, or significance of an impact. Mitigation measures are typically identified during environmental impact study processes. Mitigation can take the form of relocation or redesign of facilities, changes to construction or operating methods, or environmental restoration measures.

2.0 COMPARING MITIGATION AND BENEFITS

The Capital Regional District (CRD) is engaged in a program to provide wastewater treatment for its seven core municipalities, as required by the provincial government. As the program has progressed, the Core Area Liquid Waste Management Committee (CALWMC) has identified actions taken in other jurisdictions to gain local acceptance of wastewater treatment facilities. The CALWMC wishes to determine if such approaches to providing neighbourhood amenities and associated benefits would be appropriate in the CRD, and if so, what policies should guide the initiative. In making this decision, it is important to understand that mitigation can resolve many community concerns associated with public infrastructure projects.

Purpose and goals of mitigation

Mitigation is always linked to a project's adverse impacts. For instance, if a proposed project is likely to increase erosion, then mitigation could include erosion control measures such as terracing, revegetation of slopes, and management of runoff. If a wastewater treatment facility appearance causes visual impacts, then mitigation could involve architectural treatment to improve the visual appearance for people who could be affected.

A project proponent generally must agree to undertake mitigation. The impact requiring mitigation may be identified by a consultant conducting an environmental assessment, by a government agency, or by parties who could be affected by the project. Provincial and federal environmental assessment processes may require mitigation as a condition of regulatory approval of a project. If mitigation measures are so expensive that they jeopardize the financial viability of a project, a proponent may amend or cancel a project rather than conduct mitigation.

Some impacts may be unmitigable. If a project results in impacts to natural or human-made features that are rare or irreplaceable, those impacts may not be capable of being mitigated. In these cases, only compensation would be a valid response to the impact.

Some project effects may be excluded from mitigation planning. Small or temporary effects of construction or operation of a project may not be identified during an environmental impact study or project planning stage. Other effects may not be known until after they occur. In these cases, mitigation is unlikely to be provided unless the proponent agrees to respond to an on-going impact.

Mitigation is provided by private and public sector proponents. Mitigation measures usually are related to the kind and severity of impact, not to the nature of the project proponent. Whether a

facility is being built by a private party or by the government, mitigation is usually provided and may be required.

Construction and operation of CRD wastewater treatment infrastructure will result in environmental and social impacts that require mitigation. The mitigation will be related to such factors as land use change, environmental effects, noise, views, traffic, and odour. The CRD has a proven record of effectively mitigating the effects of urban infrastructure projects. In the CRD, mitigation planning typically involves communication with members of the public and key stakeholders that are affected by a project.

CRD's experience with mitigation

Although few CRD infrastructure initiatives have triggered the preparation of provincial or federal environmental assessments, CRD projects have effectively mitigated impacts. During the conduct of siting processes that engage the public and the preparation of CRD-mandated Environmental and Social Reviews (ESRs), impacts and mitigation measures have been identified.

The Saanich Peninsula Treatment Plant underwent an extensive siting and public involvement process, in addition to an ESR. The nearby residents were engaged in direct discussions of effects. Traffic effects were mitigated by constructing a new frontage road paralleling the Pat Bay Highway. Odour effects were reduced by technical changes to the originally-installed equipment. Persistence in improving odour management has virtually eliminated odour issues. Public concerns about property devaluation were met with a CRD program to reimburse owners if properties' sale prices were shown to be reduced. Concerns about excessive lighting were resolved by changes to lighting levels, timing, and design of lighting fixtures. The result of the CRD's mitigation program was the near elimination of impacts of the Saanich Peninsula Treatment Plant on the neighbourhood.

The Currie Road Pump Station in Oak Bay also featured extensive and effective mitigation. Adjacent properties were purchased by the CRD, and then resold after the facility was commissioned. The pump station was designed to resemble a residence. Exceptional measures were taken to reduce equipment noise. Post-construction vibration complaints by neighbours were resolved by technical changes to eliminate the problem. These measures systematically mitigated or compensated for Currie Road Pump Station effects on residents in this densely populated area.

Other examples of effective mitigation of CRD infrastructure impacts are associated with the "good neighbour policies" applied to the Hartland Landfill and the Trent Pump Station. The design of the pump station used extensive odour control, acoustic mitigation technologies, and an

aesthetically pleasing exterior. Mitigation of effects of the Hartland Landfill includes measures to control traffic and to manage leachate.

All of the foregoing actions are considered mitigation measures because they responded to specific impacts.

3.0 PURPOSE OF A COMMUNITY BENEFITS FRAMEWORK

This report examines processes used in other jurisdictions to identify and provide community benefits, and suggests alternative approaches that could be applied in the CRD's wastewater program. These alternatives are submitted for consideration by the Core Area Liquid Waste Management Committee (CALWMC).

Why provide community benefits?

No legal requirement exists in British Columbia to provide community benefits as part of the process of siting public facilities. Indeed, it could be argued that the public facilities are themselves a community benefit. In locating public facilities such as highways, public transit, wastewater facilities, or water reservoirs, for example, the emphasis is on mitigating adverse impacts that maybe identified during environmental assessment processes.

Typical local impacts include noise (particularly from transportation facilities), limitations on land uses, or outright displacement of land uses (in the case of reservoirs or pipeline easements). Mitigation for highways may include low-noise pavement or noise barriers. If land is required for public facilities, mitigation may include outright purchase of the land or replacement of fences or other affected structures.

Providing community benefits extends beyond mitigating impacts. Community benefits may include provision of facilities or other identified public goods that are not directly related to impacts of a project. In the case of the CRD wastewater project, a community benefit could be defined as something the CRD provides to the community beyond what it must provide as a normal part of delivering services. The examples presented elsewhere in this report describe the kinds of amenities provided as part of major public works projects.

The private sector regularly provides community benefits (also called "amenities") as part of the process of obtaining government approvals for developments or other changes in land use. Density bonus provisions under British Columbia's *Local Government Act* promote the negotiated allocation of community amenities during the development process to maintain or improve the quality of communities where development occurs (Ministry of Municipal Affairs and Housing 1997). Under such agreements, also referred to as amenity bonusing agreements, a developer may provide funds for park or recreation facilities in areas where a local government has approved a housing project that has higher than usual development density. An industrial example would be where pipeline companies construct hiking and cycling facilities in their rights-of-way, or provide funds for training and scholarships in First Nations communities.

Providing a community benefit implies that a community deserves to be compensated for an activity or facility that reduces quality of life in the neighbourhood. It could be argued that if no adverse effects occur, then no benefit needs to be provided. In the case of the CRD's wastewater project, for example, if wastewater treatment benefits a community and the facilities have little or no local impact, why is additional benefit required? If the CRD pursues expensive treatment technologies that provide opportunities for energy recovery and reuse in nearby neighbourhoods, is this not a benefit to the neighbourhood?

This issue is not trivial, because providing amenities in one area requires the reallocation of revenues or other resources from other areas. In general, the cost of providing benefits not directly related to project impacts would not be sharable with senior levels of government. Hence, as part of the discussion of community benefits, the CALWMC should first decide *whether* community benefits need to be provided as part of wastewater treatment.

The remainder of this report assumes that the CRD wishes to provide community benefits as part of the wastewater treatment program, and discusses *how* rather than *whether* to provide benefits.

If the CRD decides to provide community benefits as part of the wastewater program, then a series of other questions will require answers, such as:

1. What qualifies as an amenity?
2. Who will benefit from the amenities?
3. Who decides what amenities will be provided?
4. What scale of amenity is appropriate?
5. How do we calculate the value of amenity?
6. Will the amenity itself cause impacts (parking, access, etc.)?
7. Who will ultimately own and maintain the amenity?

The community benefit framework (CBF) alternatives discussed in this report provide organizational approaches and processes for providing benefits as part of the wastewater treatment program.

Meeting the triple bottom line

How can a CBF help the CRD wastewater treatment strategy meet its triple bottom line goals? Community benefits can play a role in responding to the economic, environmental, and social concerns of affected communities. The process of identifying local issues responds to the social responsibility of the CRD to engage residents in development decisions. The amenities delivered under a CBF could protect or enhance environmental or economic conditions and improve the social well being of an affected neighbourhood.

Sustainable infrastructure, such as a wastewater facility, can offer several triple bottom line benefits. Recently, the provincial government has developed a funding program for sustainable infrastructure. The Infrastructure Planning Grant Program, administered by the British Columbia Ministry of Community and Rural Development, provides funding for local governments to develop sustainable infrastructure. When applying for funding, local governments must identify how the project will provide economic, social, and environmental benefits such as:

- cost savings and lower tax burden for residents and businesses,
- improved public health and safety,
- reduced ecological footprint and enhanced environmental protection,
- more efficient use of infrastructure and natural resources,
- reduced operating costs, and
- improved community sustainability (BC MoCD 2009).

A CBF can help to meet these provincial requirements. By implementing a CBF, the CRD can engage affected communities in selecting and delivering services and facilities that support sustainability and achieve triple bottom line goals.

Community Benefit Agreements

Community Benefit Agreements (CBA) are commonly used by developers and community organizations in the United States to develop a set of commitments that guide the community engagement process and the identification and delivery of amenities for development projects. CBAs are legally enforceable agreements between developers and community organizations that allow people the opportunity to have a voice in shaping a project that will affect their community (Gross *et al.* 2005). A CBA results from a consultative process between a developer and organized representatives of an affected community. These processes usually begin before a project receives final government approval. As part of a CBA, a developer provides specified community benefits, and in return, the community supports the project. A CBA is a method to

work toward mutually beneficial outcomes and creates a mechanism to enforce both sides' promises (Gross *et al.* 2005).

CBA's can provide positive outcomes for both the community organization and the developer, but can create potential problems for the parties. Specific community benefits that can be attributed to CBA's include:

- a living wage requirement for workers employed on the project,
- local job opportunities for affected communities,
- space for a neighbourhood childcare centre,
- environmental standards met during construction and operation,
- construction of parks and recreational facilities,
- community input in selection of components of the development, or
- construction of affordable housing (Gross *et al.* 2005).

Developers can benefit from CBA's by gaining public support for their projects and showing government agencies that they are actively engaging the community, which may expedite the government permit approval process (Gross *et al.* 2005).

Table 1 provides a summary of pros and cons of CBA's. Many of the CBA issues identified in Table 1 apply more broadly to the provision of community benefits under other delivery mechanisms.

Table 1. Pros and cons of Community Benefit Agreements

Pro	Con
Includes community concerns by providing a forum for all parts of affected community.	Inadequate community organization could result in weak CBA's and set poor precedents for future negotiations.
Enforces promises for community benefits.	Excessive CBA commitments may discourage future development.
Creates transparent benefit agreements that support understanding and open reporting of fulfilled commitments.	Legal expenses may be incurred during the creation of CBA's that are legally enforceable.
Builds coalitions between community groups that have different mandates.	CBA's can increase the cost of development.
Supports efficient project approval by early and open dialogue between developers and the community.	CBA's constitute a form of transfer payment benefiting one area at the potential expense of another.
Provides clear beneficial outcomes for projects.	

Community benefit examples from public infrastructure projects

Recent urban wastewater infrastructure projects in Canada and the United States have delivered community benefits or amenities. Wastewater treatment facilities constructed in the past decade have offered substantial amenities to the surrounding community, such as public parks or greenspace, community centres, and community funds.

Table 2 summarizes some recent examples of community benefit programs provided by wastewater treatment projects in North America. The Brightwater Wastewater Treatment Facility, currently under construction in Kings County, near Seattle, will provide the community with a 43 acre park with trails, an \$8 million community centre, \$4 million worth of public art, and a \$70 million municipal fund for parks, greenways, and habitat enhancement. The municipal fund is about 4% of the \$1.8 billion project budget. During the project planning phase, the Brightwater proponents signed an agreement to spend at least 10% of the total project budget to mitigate adverse project effects in addition to the community benefits program.

When compared with entirely new wastewater facilities, upgrades, or expansion of existing facilities tend to offer more modest community benefits, if any. These benefits may include providing reclaimed water and heat to the surrounding community. For example, Gold Bar Wastewater Treatment Facility in Edmonton, Alberta recently upgraded their 19.5 ha facility in the North Saskatchewan River Valley. The facility now supplies a local refinery with reclaimed water to produce hydrogen and steam. Additional reclaimed water is conveyed to adjacent parks to supply lakes and provide water for irrigation in the summer and snowmaking in the winter (City of Edmonton website). Similarly, the recently upgraded wastewater treatment facility in Whistler uses the treated effluent to provide 95% of space and water heating to the adjacent Athlete's Village neighbourhood (Resort Municipality of Whistler website).

Airports, another type of public infrastructure project, sometimes offer community benefits. In the United Kingdom, several airports (*e.g.*, Manchester, East Midlands, and Bournemouth) have established annual community trust funds that are available for projects that benefit the local community. At Manchester Airport, the fund is supplemented through fines imposed on airlines that exceed noise limits (Manchester Airport website). Most of the other types of public utility or infrastructure projects surveyed, such as highway projects, mitigate project effects, but do not provide community benefits. In the case of airports, community trust funds are a way of providing compensation to the surrounding community for a project effect (noise) that is unmitigable.

Table 2. Example community benefits

Facility (completion date)	Total project cost	Public art, parks or greenspace	Community or education centre	Community fund	Other
Hartland Landfill (1994), Capital Regional District, BC	Unknown	Surplus 200 acre parcel for Mount Work Regional Park. \$200,000 for park development. Killarney Lake purchased (about \$3 million) to replace Heal Lake and provide buffer.	None identified.	None identified.	\$80,000 annually to Saanich for use of Hartland Road.
Pine Creek Wastewater Treatment Facility (2000), Calgary, AB	\$430 million	Adjacent public paths connect with the paths along the river valley.	None identified.	None identified.	None identified.
Halifax Harbour Solutions Wastewater Treatment Facilities (2008), Halifax, NS	\$333 million	None identified.	None identified.	\$7 million community fund (Halifax \$1 million educational bursaries and community projects. Dartmouth \$1 million waterfront greenway. Herring Cove \$5 million sewer and water services). About 2% of project budget.	None identified.
Ashbridges Bay Wastewater Treatment Facility upgrade (2010), Toronto, ON	\$200 million	Historic pump station grounds converted to 240 acre park (playfields, court, playground, fieldhouse, art, paths, skate park). \$26 million re-landscape.	None identified.	None identified.	None identified.
Lacey, Olympia, Tumwater, and Thurston County (LOTT Alliance ¹) (2011), WA	Unknown	The LOTT Alliance ¹ in partnership with the Port of Olympia, Hands on Children's Museum, and the City of Olympia are redeveloping downtown Olympia (public plaza, waterfront revitalization, city hall, and education centre).		None identified.	None identified.

¹ The LOTT Alliance is responsible for wastewater treatment in the region.

Facility (completion date)	Total project cost	Public art, parks or greenspace	Community or education centre	Community fund	Other
Brightwater Wastewater Treatment Facility, Kings County (2011) (Seattle area), WA	\$1.8 billion	43 acres of land converted to public space and trails. Public art (\$4 million).	An education and community centre for local government and community groups (\$8 million).	Snohomish County awarded \$70 million fund for parks, pedestrian and bike paths, and habitat mitigation and conservation. About 4% of total project budget.	None identified.
Eastside and Westside Combined Sewer Outflow Tunnel Projects (2011), Portland, OR	\$464 million	None identified.	None identified.	Community Benefit Opportunity grants for community projects in Eastside (\$1.77 million) and Westside (\$745,000). About 0.5% of total project budget.	None identified.
Whistler Wastewater Treatment Facility upgrade (2009), Whistler, BC	\$52 million	None identified.	None identified.	None identified.	None identified.
Gold Bar Wastewater Treatment Facility upgrade (1991-2002), Edmonton, AB	Unknown	None identified.	None identified.	None identified.	None identified.
Seymour-Capilano Filtration Plant upgrade (2012), Metro Vancouver, BC	\$800 million	None identified.	None identified.	None identified.	None identified.
Point Loma Wastewater Treatment Facility (1965), San Diego, CA	Unknown	None identified.	None identified.	None identified.	None identified.
Oceanside Wastewater Treatment Plant upgrade (1994), San Francisco, CA	\$200 million	None identified.	None identified.	None identified.	None identified.
San Luis Rey Wastewater Treatment Facility, Oceanside, CA	Unknown	None identified.	None identified.	None identified.	None identified.
La Salina Wastewater Treatment Facility, Oceanside, CA	Unknown	None identified.	None identified.	None identified.	None identified.

A CRD example: Hartland Landfill and Mount Work Regional Park

As part of developing the Hartland Landfill, the CRD provided the local community with community benefits. In 1994, approximately 200 acres of surplus land purchased for Hartland Landfill was transferred from CRD Engineering to CRD Parks to establish a park, Mount Work Regional Park. A portion of the park was designated for mountain bike trails for the local community, Mount Work-Hartland Mountain Biking Area. Funding from the solid waste budget was used for park development. Operations and maintenance of the park is provided by the CRD Parks department.

Development of the Hartland Landfill required the draining of Heal Lake. The CRD Solid Waste department purchased a privately owned lake south of the landfill, Killarney Lake, to compensate the local community for the loss of Heal Lake and to provide an additional buffer around the landfill. The District of Saanich contributed an additional 50 acres of land around the lake to create an 80 acre regional park near the landfill.

4.0 WHAT ARE THE PROS AND CONS OF THE CRD PROVIDING COMMUNITY BENEFITS?

The provision of community benefits would have a positive effect on communities affected by wastewater facilities, but the implications of such actions also need to be considered. This section summarizes some of the advantages and drawbacks of delivering benefits to communities in which wastewater facilities are located.

As regional representatives and policy makers, the CRD Directors need to consider the broader implications of developing and applying a community benefits initiative. The CRD can expect substantial public support for the provision of community benefits, at least in areas where wastewater facilities could be located. In other non-benefiting areas, however, concerns may be raised about the fairness of allocating funds to provide such amenities. Table 3 summarizes the pros and cons of developing and implementing a community benefit policy for the CRD's wastewater program.

The advantages of providing community benefits are primarily associated with building constructive relationships with residents and community associations, and improving the quality of communities that receive public amenities. Creating positive relationships with community associations depends in part on the design and delivery of the process, and with willingness of government and residents to seek fair and reasonable benefit packages. Provincial sustainable initiative funding applications associated with projects that deliver “sustainable” community benefits could be more favourably considered (MoCD 2009). Community benefits could also lead to broad recognition of this element of the CRD's wastewater initiative. Such recognition could occur through conference presentations and similar venues, and, potentially, through the media. (The nature of media coverage depends, of course, on whether there are newsworthy elements to a story, and collegial decisions may not attract as much attention as conflict.)

The potential drawbacks of embarking on a community benefit program include costs, fairness, and setting a precedent. The costs of benefits include the effort expended in negotiating benefits as well as the cost of providing and maintaining identified amenities. Costs of a benefit program are unlikely to be included as part of funding agreements with senior governments, whereas mitigation costs usually are covered. Taxpayer interest in the cost of the wastewater program is already high, and the CRD may need to justify the provision of benefits in addition to the costs of mitigating impacts of the wastewater project.

Table 3. Potential pros and cons of providing community benefits

Pros	Cons
Provides an opportunity for CRD to enhance communications with affected residents and organizations.	Costs of providing benefits may not be shared by provincial and federal funders of wastewater facilities.
Community associations are likely to support a CRD commitment to provide benefits.	Providing benefits for the wastewater program would set a precedent for other public projects in the region
Provides an opportunity to improve the quality of communities by providing public amenities.	Providing amenities constitutes a transfer payment that benefits one area at the expense of another
May help to build community support for wastewater facilities.	Without clear limitations on a benefits program, local expectations may be unrealistically high—what happens if local expectations cannot be met?
The benefit process may strengthen applications for provincial “sustainable infrastructure” funding.	Determining who should be involved in benefit discussions can prove challenging.
The process of discussing benefits may lead to resolution of other community concerns.	Ownership and maintenance of amenities would need to be resolved.
Community discussions provide an opportunity to share information about the wastewater project	Cost of an already-expensive wastewater program would rise, and project timelines could be affected.
Provides an opportunity to showcase the CRD wastewater project provincially and nationally	Areas with weak community organizations may achieve fewer benefits than areas with strong community organizations

With the exception of Hartland Landfill, community benefits (beyond mitigation) typically have not been provided for publicly-funded infrastructure in the region. The precedent set by providing benefits for the wastewater program can be expected to influence other public infrastructure projects in the region. The CRD has developed and applied a successful impact mitigation process on other projects, and the rationale for expanding that process to include benefits that are not related to impacts should be clearly articulated.

There are no guarantees that the benefits offered by the CRD would be considered satisfactory by community participants in the process. If no agreement is reached, discord could result from a process that is intended to improve harmony. The CRD would need to exercise care in determining who is involved in benefit discussions (residents, associations, affected property owners, municipalities, others) to ensure that a cross-section of community interests is represented. Fairness dictates that the results of the community benefit discussions should not be determined by the degree of organization of resident associations or other groups, which could put neighbourhoods that lack such organizations at a disadvantage. Finally, municipalities would

need to accept and support the benefit process and results, because municipal governments may end up owning or maintaining the amenities provided.

5.0 COMMUNITY BENEFITS FRAMEWORK ALTERNATIVES FOR THE CRD

Kinds of community amenities

What kinds of amenities are potentially relevant to the CRD’s wastewater project? The following kinds of amenities could be considered for the CRD wastewater program (Table 4).

Table 4. Examples of amenities

Amenity category	Kinds of amenities
Greenspace	Parks or similar protection of natural areas Protected and enhanced riparian areas Community gardens
Recreation	Playfields or upgrades of playfields Playgrounds or playground equipment Tennis or basketball courts Walking or cycling paths or trails Skateboard or BMX bike parks Upgrades of other existing recreation facilities Decorative water fountains Restrooms Picnic tables
Transportation	Road upgrades Sidewalks or walking paths Bus pullouts or shelters Bicycle lanes or paths Bicycle racks and shelters Motor vehicle parking areas
Other public facilities	Upgrades of cultural facilities (museums, theatres, etc.) Public safety enhancements (lighting, clear sightlines) Improved services (fire or police facilities) Community centres Heritage buildings
Enhanced wastewater facility design	Higher level of finish of wastewater facility structures Increased landscaping More onsite public features (fountains, meeting rooms) More underground facilities Energy recovery (heat from wastewater) Reuse of treated effluent in wastewater facility structures LEED standards

Community members engaged in CBF processes may identify other potential amenities.

Determining the scale of amenities

Decisions about the scale or amount of amenities to be provided could be based on one or more of the measures summarized in Table 5.

Table 5. Basis for determining the scale of amenities to be considered

Basis for determining scale	Rationale
1. Size of the facility (footprint or capacity)	A large facility would have a greater effect than a small one, so more amenities would be justified for a large facility. Similarly, a facility with more capacity has a larger service area, so greater amenities are “owed” to the nearby community.
2. Capital cost of the facility	Cost is a surrogate measure of the size of facility, so projects that are more expensive could have greater impact and therefore greater obligation to provide amenities. ²
3. Area within a fixed radius from the facility	The benefits should serve the population within a given distance of the facility, because only those near to the facility are more likely to experience adverse project impacts.
4. Magnitude of potential impact	Facility size and location alone do not determine magnitude of impact. Magnitude is based on the relationship between project activities or design and the affected environment or community. The greater the magnitude of potential impact, the greater amenities should be considered.
5. Need or desire to replace uses or activities displaced by the facility	If a wastewater facility displaces, say, an area used for neighbourhood park or outdoor recreation, then similar facilities should be considered as an amenity.
6. Funds available for community benefits	The project proponent may set a limit on the funds available for community benefits, which would determine the maximum expenditure on amenities.

Although determining the scale of amenities would be simple if a single measure were applied, in most cases, several such measures may be considered.

Determining the scale of suitable benefits leads to the question, “what is the amenity worth?” Valuation of greenspace is notoriously difficult. Market value fails to capture the “intrinsic” value of a natural area. Displacement of areas that are rare or unique in a neighbourhood may mean that the resource cannot be replaced at all.

² If, for example, higher costs are incurred to reduce the size of area affected by the facilities, the greater cost could result in fewer impacts, thus justifying fewer, not more, amenities as compensation.

Organizational alternatives

How should community benefits be determined and delivered? Several alternative methods could be appropriate in the CRD, each with specific advantages and drawbacks. Because the wastewater program is delivered by the CRD, the CRD should play a lead role in any community benefit process. Decisions will be needed on whether a region-wide or neighbourhood-focused approach is best and how “institutionalized” the process should be.

Who should be involved? Several kinds of participants should be considered for involvement in the process of identifying community benefits, including:

- unaffiliated residents of affected areas,
- resident associations (executive and membership),
- owners of nearby properties (institutions, businesses, or individuals),
- users of potentially affected facilities (*e.g.*, sports clubs, recreation organizations),
- First Nations that have affected interests,
- municipal staff,
- municipal councillors,
- CRD staff and wastewater program consultants, and
- CRD Board members.

How these parties would be involved depends on the organizational structure selected by the CRD. The following section describes some potential organizational alternatives.



Figure 1. Alternative “A” – Regional committee-led community benefit process

Alternative “A” – Regional committee-led community benefit process (Figure 1). Under this model, the CRD would create a CBF Committee that would coordinate information collection from neighbourhoods where facilities will be located. The CBF Committee would be responsible for recommending amenities to be provided.

The advantage of the regional committee-led process is that the allocation of amenities and associated costs could be balanced across the region. Only one CBF Committee would need to be created, unless the committee chooses to create additional neighbourhood committees. Ideally, the CRD’s CBF Committee would obtain input from potentially affected neighbourhoods, and would determine the appropriate mix of amenities to be provided. This approach would avoid “institutionalizing” neighbourhood committees.

A disadvantage of this process is the time and cost of organizing separate public involvement processes for each facility.

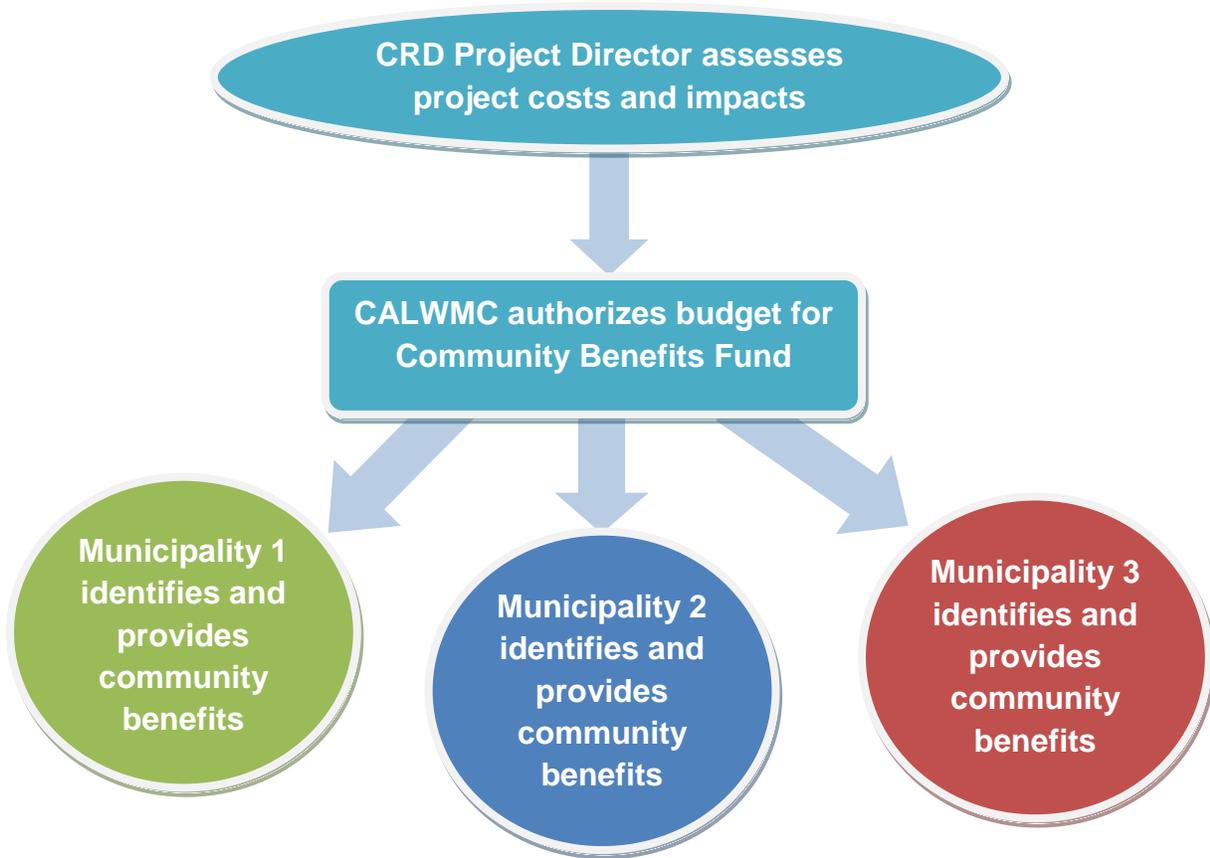


Figure 2. Alternative “B” – Municipality-led community benefit process

Alternative “B” – Municipality-led process (Figure 2). Alternative “B” relies on the affected municipalities to work with community members to identify potential amenities. The CRD would set up a community benefits framework and establish a Community Benefits Fund. The CRD Project Director would assess each project, determine if it qualifies for community benefits, and calculate the relevant project costs expended in each municipality. The CALWMC would then authorize a budget for the fund. When the project is initiated, the designated funds would be provided to each municipality.

An important advantage of the municipality led process is that municipal leaders can lead the process of determining the amenities. Municipal councils and staff can work with community groups and the public as deemed appropriate to identify suitable amenities to be provided. The CRD would only be responsible for determining the amount of the fund and dispersing the funds to the municipality.

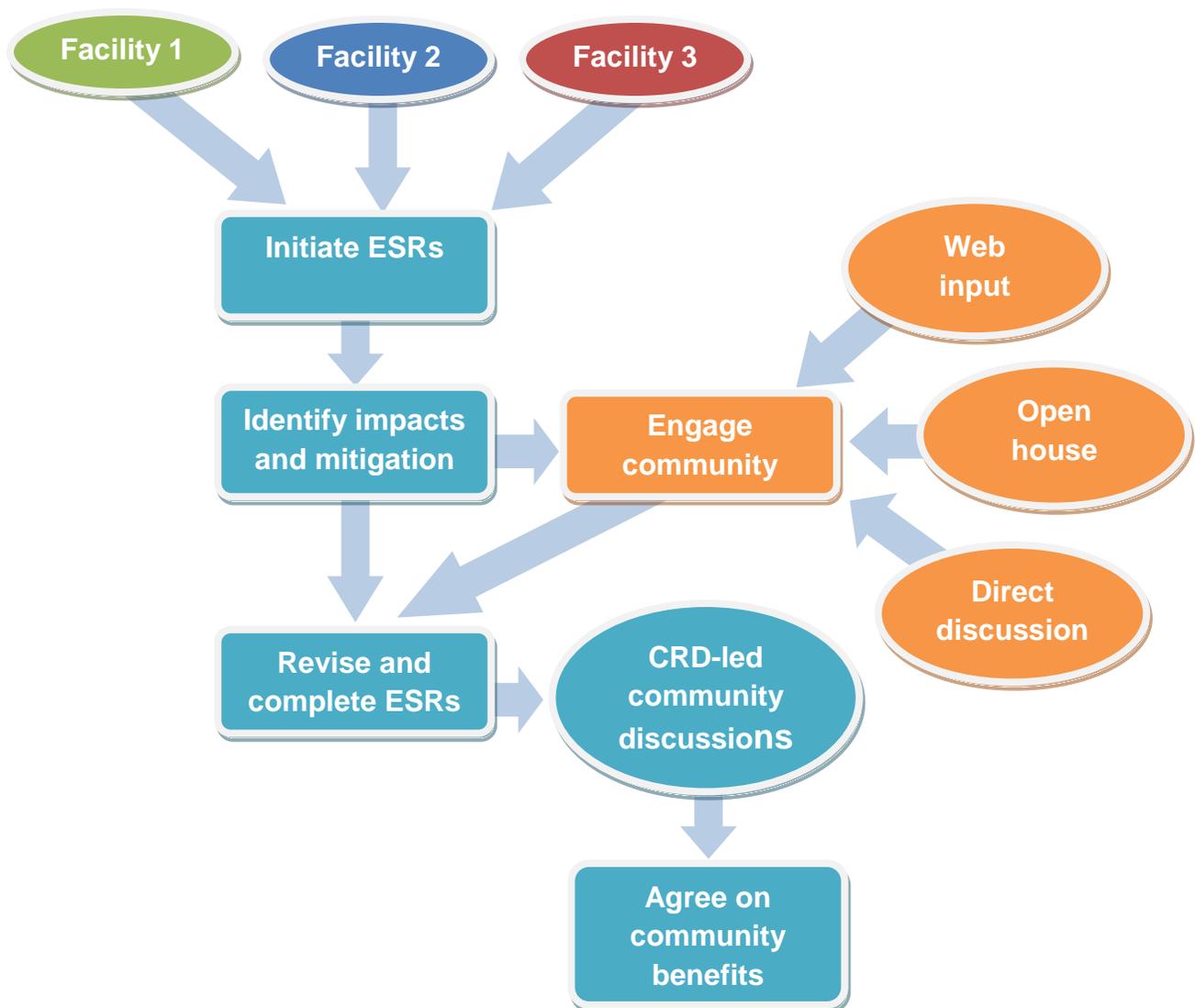


Figure 3. Alternative “C” – ESR-initiated community benefit process

Alternative “C” – ESR-initiated community benefit process (Figure 3). The Environmental and Social Review (ESR) process will identify project impacts and mitigation measures, and will include involvement of the public in the ESR preparation. Alternative “C” takes advantage of the ESR process by initiating discussion of potential community benefits during the identification of impacts and mitigation measures.

After the technical components of the ESRs are completed, a more focused discussion of community benefits could proceed. This process could be based on informal meetings with residents and interested groups, or could lead to creation of formalized neighbourhood benefits committees. If engagement of the public during the ESR results in clear direction on benefits, the informal post-ESR process could be sufficient. If, however, the neighbourhood requires additional dialog on potential benefits, then a more elaborate process may be needed.

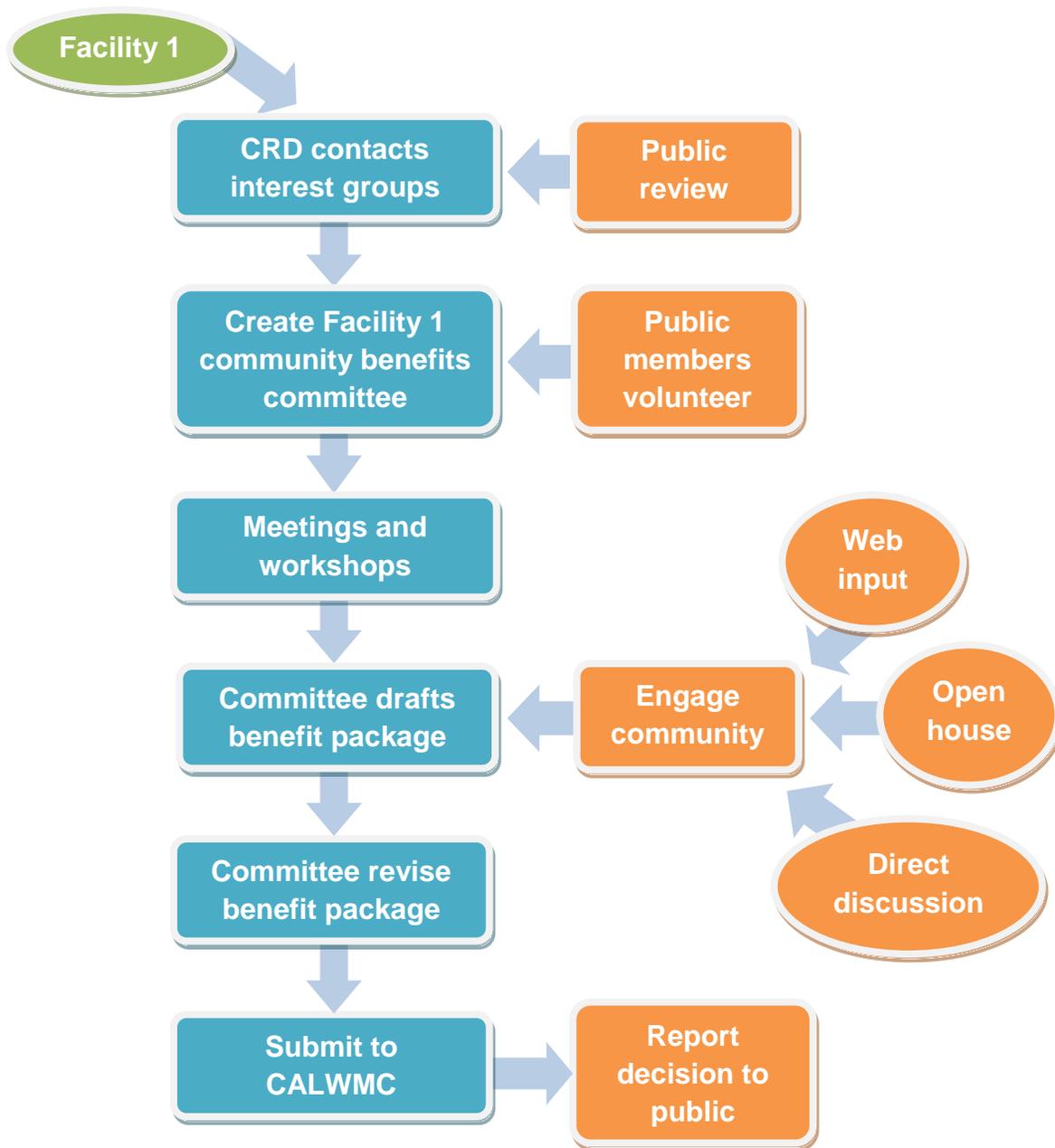


Figure 4. Alternative “D” – Local committee-led process

Alternative “D” – Local committee-led process, would see benefit committees constituted in each neighbourhood potentially affected by a wastewater facility (Figure 4). Note that the CRD would develop a list of potentially interested parties during open houses and related public processes. Parties that agree to participate would be part of the community benefits committee. The potential membership of such local committees is shown in Figure 5. This model shows CRD staff as chairing the local committees, and reporting to the CALWMC.

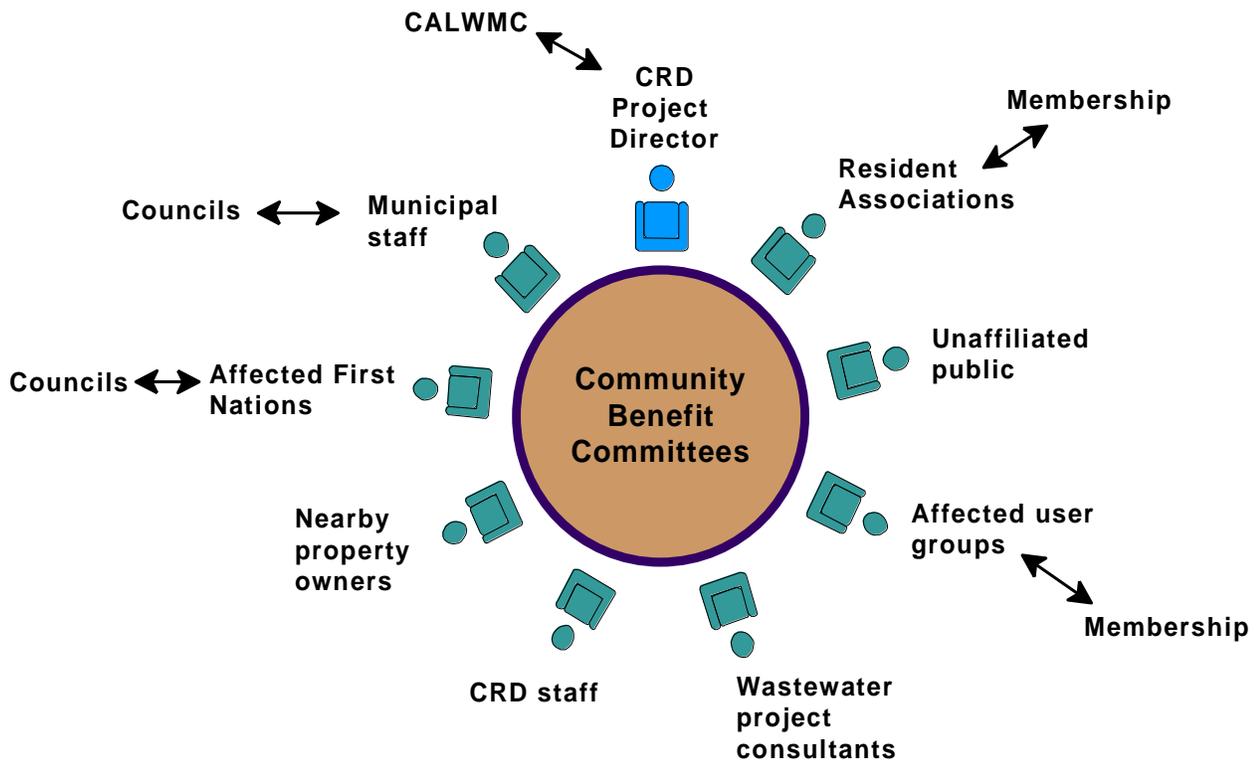


Figure 5. Potential membership of community benefit committees

The advantage of the local committee led process is that it provides a single designated organization to develop a benefit package for each wastewater treatment facility. Committee members, once selected, could provide relatively consistent participation throughout the planning process.

A disadvantage of this approach is that several committees would be created, one for each treatment facility. The committees would require multiple meetings, creating potentially high overhead expenses (staff involvement, rooms, refreshments, minutes, etc.). This approach also runs the risk of “institutionalizing” the community benefits planning process, rather than focusing on efficiently identifying benefits and moving directly to implementation.

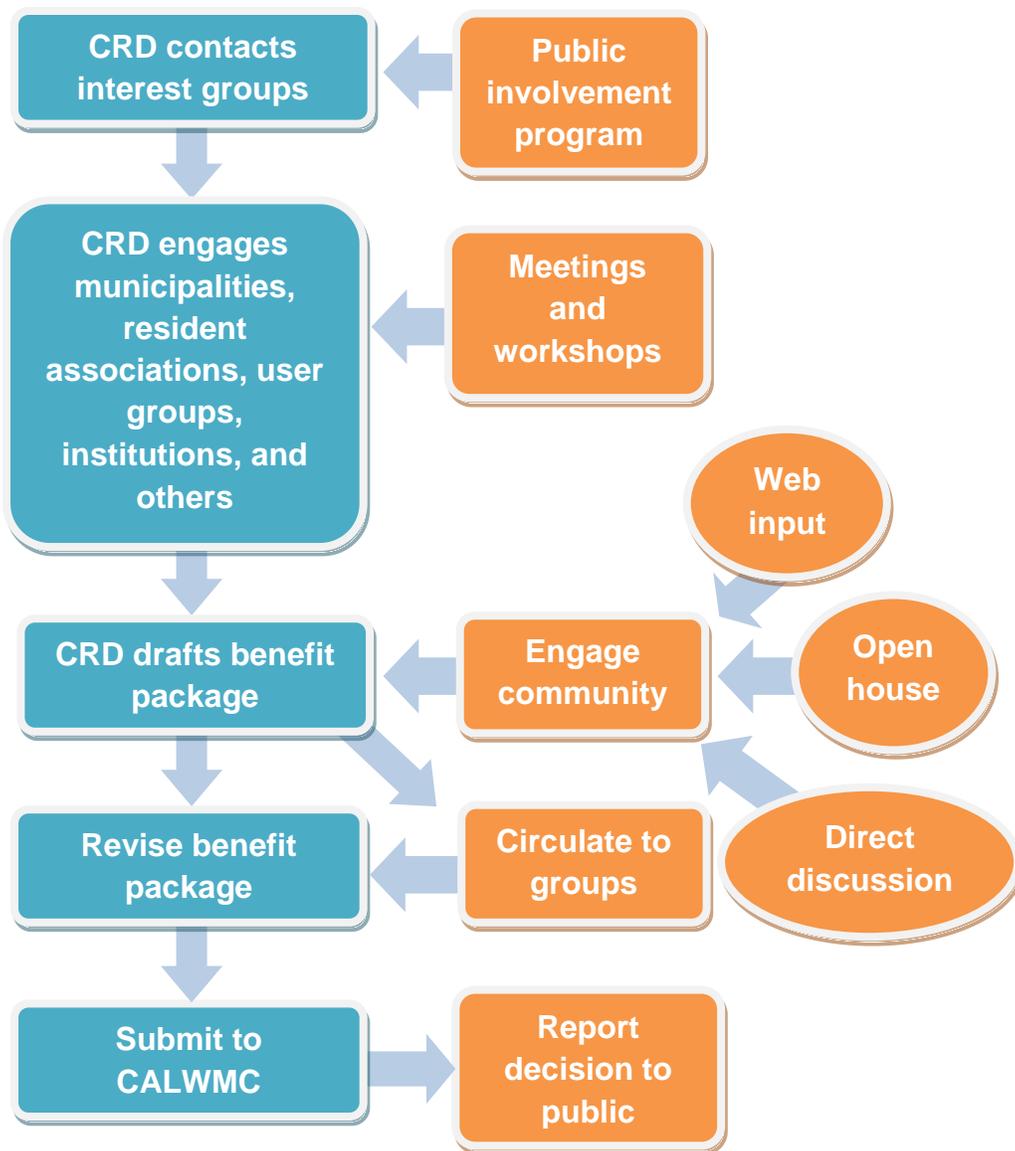


Figure 6. Alternative “E” – “Distributed” community benefit development process

Alternative “E”--“Distributed” benefit development process (Figure 6). An alternative to creating a CRD community benefits committee (as in Alternative “A”) would be to designate several CRD staff to oversee preparation of community benefits packages for potentially affected neighbourhoods. This model would see staff organize meetings and workshops with interested parties, develop draft benefits packages for review by the various interests, and submit the revised packages to the CALWMC for consideration.

This approach has the advantage of avoiding the costs of creating neighbourhoods committees, as the CRD personnel would coordinate the meetings and workshops with interested parties (residents, municipalities, institutions, etc.). Without centralized oversight, however, this

approach runs the risk of creating unequal levels of benefit across the region. The CRD Project Director or the CALWMC would need to ensure that benefits provided are fair.

6.0 FRAMEWORK CONSIDERATIONS

This section outlines some of the considerations that could affect CRD decisions regarding community benefits frameworks.

Community benefits principles

What principles should be used to identify appropriate and usable community benefits? The City of New Westminster, for example, has developed a set of guidelines for staff evaluation of voluntary amenity contributions offered by individuals or groups applying for zoning amendments or development variance permits (City of New Westminster 2009). These criteria could be adapted for use by the CRD on the wastewater program.

In determining appropriate kinds of amenities, New Westminster applies the following principles:

1. Amenities should be consistent with the City's Strategic Plan.
2. Development gifts must be solely used for public benefit.
3. Amenities should be related to mitigating impacts of proposed development or address the demand of additional community growth.
4. Amenities must be operationally viable (*i.e.*, within City's service standards and have operating funding).
5. Voluntary amenity contributions will not fund amenities that would otherwise be provided by the private market, collection of development charges, or government investments and maintenance.
6. Amenities will benefit the affected community to improve quality of life of local neighbourhoods.
7. Amenities should be owned by a public body or be secured for public benefit.
8. Amenities should be subject to quality standards to ensure they are desirable, accessible, and well used by the public (City of New Westminster 2009).

Candidate amenities that may meet these criteria include greenspaces, public parks, restoration of riparian buffers, and walking and bicycle paths.

To determine the value of benefits, New Westminster retains a land use economist to determine the current and projected value of the land proposed for development to determine the increase in land value available to fund amenities. This approach would not be directly transferable to public infrastructure projects.

The following list provides examples of general principles that could be employed in the CRD to guide community benefits funding. The principles are adapted from the Dartmouth Community Liaison Committee (CLC) proposal for the Dartmouth Greenway, in the Halifax Regional Municipality:

1. Projects in affected neighbourhoods have first priority for funding.
2. Projects protect or enhance the social and ecological goods and services of the affected community.
3. The elements of a proposed amenity must be developed by a community benefits committee in which the local government is involved.
4. Long-term operation and maintenance of the amenity must be included in amenity proposals.
5. The funding must be used for purposes that are consistent with local community interest, and cannot be used to improve private property.
6. Expenditures are approved by the local government.

Community benefits funding and ownership

During the process of identifying potential amenities, the cost of amenities and the funding mechanism must be considered. Options for funding delivery include, but are not limited to:

- lump sum payments,
- annual payments,
- annual operational and maintenance costs, or
- payment on a per amenity basis.

The issue of payment of funds for community amenities is also related to the ownership, maintenance, and associated liability for the amenity. The method selected for wastewater project delivery (public, private, or partnership), could affect the source and method of funding.

Issues influencing CRD decisions on community benefits

This report primarily examines conditions in other jurisdictions and in relation to public projects generally. With regard to the CRD's wastewater project specifically, the CALWMC may wish to consider the following factors that could influence the provision of community benefits.

- a. Costs of mitigating impacts likely can be shared with senior government, whereas costs of community benefits unrelated to the project effects probably cannot be shared.

- b. Most of the community benefits programs implemented in other jurisdictions predate the 2008 economic crisis. In today's financial climate, it is unlikely that such generous programs would be offered.
- c. Although treatment facilities are perceived as being unpleasant neighbours, the provision of sewage treatment is necessary to maintaining human and environmental health, and to comply with government regulations. Such facilities, therefore, should be considered a public good, which could raise questions about why additional benefits unrelated to project impacts should be provided.
- d. The *Environmental Impact Statements* prepared for the wastewater facilities contain many commitments for CRD action to mitigate project impacts, including high levels of architectural treatment and design, and measures to reduce the effects of construction on neighbours. These mitigation actions were formulated in response to information received from CRD residents and municipalities about project effects, and some could be considered community benefits.
- e. Many members of the public may not be concerned about whether an action is considered a benefit or mitigation. For instance, if the project affects public access, it may not matter to residents whether resulting construction of a sidewalk is considered mitigation of an impact or a benefit to the neighbourhood.
- f. One of the favourable results of the recent changes to the CRD wastewater system configuration is the substantial reduction in program cost. Providing community benefits has the potential to increase project cost.
- g. In past discussions, the CALWMC expressed concern about creating expectations that the CRD would provide amenities unrelated to project effects. Providing community benefits for land uses that are perceived as unpleasant sets a precedent that could affect other regional and municipal projects. Care would be needed to avoid creating expectations that amenities would be provided for all public projects.

7.0 RECOMMENDATIONS

During consideration of developing a community benefits policy for the wastewater program it will be important for the CRD to discuss the following questions:

1. Does the CRD wish to offer amenities in addition to the mitigation of identified impacts? If so...
2. What qualifies as an amenity?
3. Who will benefit from the amenities?
4. Who decides what amenities will be provided?
5. What scale of amenity is appropriate?
6. How should the value of an amenity be calculated?
7. Will the amenity itself cause impacts (parking, access, etc.)?
8. Who will ultimately own and maintain the amenity?

Some of these questions will be answered during the process of developing a community benefit framework. Other questions will be answered during the discussion of amenities with the community.

Additional considerations include:

- What level of funding is the CRD willing to provide for public amenities?
- What kinds of amenities might qualify for funding from other sources (*i.e.*, provincial or federal governments)?

Recommendations for next steps in the creation of the community benefits policy include:

- Determine **whether** community benefits should be considered for areas where wastewater treatment facilities are located, and if so...
- Identify the community benefit **framework process** that best applies to the wastewater program, in which wastewater treatment and conveyance facilities will be located in several municipalities.
- Develop community benefit **principles** that the CRD and affected municipalities would apply.
- Specify the **methods** of community engagement to be applied in implementing the framework.

If the CRD decides to provide community benefits that go beyond mitigation of impacts, implementing the foregoing steps will help to create an effective framework for identifying and delivering community benefits.

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Appendix A—Examples of community benefits programs

Halifax, Nova Scotia – Halifax Harbour Solutions Project

Nature of the Project

The Halifax Harbour has been adversely affected by pollutants discharged to the harbour through untreated sanitary, storm, and combined sewer outfalls (HRM 2009). The Halifax Harbour had two sewage treatment plants located near Bedford and Eastern Passage, but most of the sewage outflow to the harbour was untreated. In response, the Halifax Regional Municipality (HRM) developed the Halifax Harbour Solutions Project, authorizing construction of three advanced primary sewage treatment plants in separate communities in the Halifax. The total budget for the project is \$333 million. The four main components to the Project are:

1. sewage collection system, including trunks, and access roads,
2. sewage treatment plant design and construction,
3. operation of sewage treatment plants, and
4. sludge and biosolids management (HRM 2009).

Under the Project, the HRM established a \$7 million Community Integration Fund (CIF) to be made available to host communities. Community Integration Fund disbursements included \$1 million for the Halifax sewage treatment plant, \$1 million for the Dartmouth sewage treatment plant and, \$5 million for the community of Herring Cove to assist with the design and construction of sewer and water services.

Community involvement

The design and construction of the Halifax sewage treatment plants had an important public consultation component, because three different communities were affected by the facilities. Community Liaison Committees (CLCs) communicated residents' issues to elected officials, HRM staff, and consultants regarding sewage treatment plant design and location. Three committees were created, the Halifax CLC, the Dartmouth CLC, and the Herring Cove CLC.

The CLCs were comprised of individuals elected by community residents, community volunteers, and representatives from community associations, and municipal staff. The CLC members were mandated to help integrate wastewater facilities into their neighbourhoods. The Halifax CLC, for example, had two mandates, (1) to work closely with project architects and contractors on the design of the exterior façade of the facilities, and (2) to make use of a \$1 million Community Integration Fund. The HRM (2009) reports that public support of the Project has been consistently high.

The Dartmouth CLC was formed at a public meeting and was comprised of volunteers from community associations and other residents who expressed interest. The Dartmouth CLC had eight community members and one district Councillor, who served as an ex-officio member.

The Halifax CLC proposed that their \$1 million be administered by a Community Integration Fund Board. This Halifax Community Investment Fund has a mission to “create a sustainable community investment fund to leverage financial and other resources for our neighbourhood” (HCIF 2009). For example, the program awarded bursaries for educational opportunities to community members who might otherwise lack access to such programs (HCIF 2009).

The Dartmouth CLC used the Community Integration Fund to build a waterfront greenway, which was identified as a priority during a Community Recreation Needs Assessment of the surrounding neighbourhood. The needs assessment identified a need for a park and a linear multi-purpose recreation system near the treatment facility (Dartmouth STP CLC 2002).

The Herring Cove CLC developed a settlement and servicing strategy as part of the Halifax Harbour Solutions Project. This strategy was designed to provide residents with key information about land capability and wastewater services so they could make informed decisions about the future of their community.

Strategic approach

The Community Integration Fund was guided by the following general principles:

- HRM would approve expenditures following review of CLC proposals, approval of a community designed project (*e.g.*, a greenway), and resolution of operational considerations, such as community stewardship, maintenance, and operational costs.
- A community benefit project should reflect identified community needs of the surrounding urban area.
- The CLC must collect input and receive public approval at regular intervals during the public consultation process.
- The Community Integration Fund can be used for purposes that are consistent with local community interest and upgrading of the urban fabric. Funds cannot be used for projects that improve private property.
- Consideration for project funding should be projects (*e.g.*, greenways, skate parks, public art) that serve the area immediately adjacent to the wastewater facility (Halifax CLC 2007).

Table 6. Halifax Harbour Solutions Community Liaison Committee Timeline Overview

(Steps involving the community are shown in bold)

Year	Activity
1997	<ul style="list-style-type: none"> Halifax Harbour Solutions Advisory Committee appointed
1999	<ul style="list-style-type: none"> Halifax Regional Municipality Council approves shortlist of consortia to bid on Project
2000	<ul style="list-style-type: none"> Release of Halifax Harbour Solutions Project Request for Proposals Herring Cove Area Settlement and Servicing Strategy finalized Dartmouth CLC established
2002	<ul style="list-style-type: none"> Provincial and Federal Governments commit to partially fund the Project Halifax CLC established Dartmouth CLC Community Integration Fund proposal for Dartmouth Waterfront Greenway
2003	<ul style="list-style-type: none"> Official groundbreaking of sewage collection system phase of project
2004	<ul style="list-style-type: none"> Herring Cove CLC re-established through community selection
2005	<ul style="list-style-type: none"> Commencement of construction of Halifax Sewage Treatment Plant Announcement of Community Integration Fund for Dartmouth Waterfront Greenway Road construction and site preparation for the Dartmouth Sewage Treatment Plant
2007	<ul style="list-style-type: none"> Halifax Sewage Treatment Plant CLC final report Halifax Community Integration Fund and new Board established. Halifax CLC mandates complete
2008	<ul style="list-style-type: none"> Halifax Sewage Treatment Plant officially opened

Toronto, Ontario – Ashbridges Bay Wastewater Treatment Plant

Nature of the Project

The Ashbridges Bay Treatment Plant (ABTP) is one of four wastewater treatment plants in the City of Toronto. The ABTP was built in 1910 and has continued to expand; it currently consists of 16 primary and four secondary digesters processing raw and waste-activated sludge (City of Toronto 2009). The ABTP site is approximately 97 hectares (240) acres in size. The historic pumping station grounds are now a park, named Pump House Park (City of Toronto 2003). In the late 1990s, the City agreed to undertake “good neighbour” initiatives at ABTP to:

- improve aesthetic qualities of the site,
- provide new public spaces, and
- realign the site as a major public work worthy of civic pride and as an important gateway to other waterfront areas (City of Toronto 2003).

The estimated total cost of the ABTP landscape plan is \$26 million. This cost was borne by Toronto’s Works and Emergency Services through a budget for on-site construction projects that are already planned and scheduled. A secondary budget was developed for new landscape modifications, based on a 2003 landscape plan.

Recently prepared plans call for a new park across a major thoroughfare from the ABTP (City of Toronto 2009). The park will include a skate park, a rugby field, and grassed areas near buildings used in the wastewater treatment process.

Community involvement

A steering committee for the ABTP implemented a public consultation and communication program with a Neighbourhood Liaison Committee (NLC) to develop a list of landscape design principles for the site:

- create a beautiful site,
- respect the ABTP function,
- establish connections with the waterfront,
- create connections with the City,
- provide public access,
- include interpretation elements in the site,
- explore the role of nature,
- provide public art,
- respect ecology and heritage,
- highlight the importance of role and function of the ABTP to the City,
- identify priorities for phasing and budget for a 20-year period, and
- include a comprehensive program of local and community member involvement.

Strategic approach

The public and key stakeholders were involved in the preparation of a landscape plan. This process included the NLC, which prepared Terms of Reference and selected a landscape architecture consulting team. Members of the NLC provided input on community issues related to the treatment plant (City of Toronto 2009).

The City of Toronto issued public newsletters regarding the ABTP to update the community on progress and future plans for the site. Public open houses continue to be held to foster community dialogue and engage the broader community. Community members are able to receive regular updates by signing on to a project mailing list.

During a three-year landscape design process (Table 7), several key activities took place:

- monthly Public Steering Committee meetings and updates to the NLC,
- information exchange of other waterfront planning initiatives,
- identification of key lessons and best practices from other projects to serve as sources of inspiration for the Project,
- detailed analysis of site condition in relation to planning and design, ecological restoration, stormwater management, and coastal management,
- development of Project website,
- delivery of four public education seminars designed to help the public to participate in the design process,
- delivery of three public charettes that created an opportunity for the public to define the emerging landscape plan. At each charette, design options were presented, discussed, and progressively refined, and
- delivery of two open houses and public presentations at key project milestones, such as completion of a Conceptual Site Plan and Final Site Plan (City of Toronto 2003).

Table 7. Timeline overview of the Ashbridges Bay Wastewater Treatment Plant project

(Steps involving the community are shown in bold)

Year	ABTP Activity
2001	<ul style="list-style-type: none"> • City of Toronto commissioned the preparation of ABTP landscape plan • Definition of public consultation strategy • Monthly project updates to NLC • Public education seminars • Design charette • NLC meetings
2002	<ul style="list-style-type: none"> • Identification of conceptual ABTP site plan • Monthly project updates to NLC • Public education seminars • Open house and public presentation • Design charette • NLC meetings
2003	<ul style="list-style-type: none"> • Preparation of final ABTP site plan • Monthly project updates to NLC • Open house and public presentation • Approval by council • NLC meetings
2004	<ul style="list-style-type: none"> • Complete ABTP landscape detailed design • Complete ABTP landscape site preparation • NLC meetings
2005	<ul style="list-style-type: none"> • Complete ABTP hard landscaping • Complete ABTP fall planting • NLC meetings
2006	<ul style="list-style-type: none"> • Complete ABTP spring planting • NLC meetings
2007	<ul style="list-style-type: none"> • Pump House Park background analysis, engineering studies, preliminary - final design.
2008	<ul style="list-style-type: none"> • NLC meetings
2009	<ul style="list-style-type: none"> • Contract documents and tender. • Implementation of Phase 1 of Pump House Park • Construction of skate park. • NLC meetings

Olympia, Washington – East Bay Area Revitalization

Nature of project

The municipal wastewater utilities of Lacey, Olympia, Tumwater, and Thurston County, Washington make up the LOTT Alliance that is responsible wastewater treatment in this region of Washington State. The LOTT Alliance, the Port of Olympia, the Hands On Children's Museum, and the City of Olympia jointly have proposed to undertake a major public development project in downtown Olympia. This initiative has only recently been announced and consequently there is little information regarding the public engagement strategy, but it is relevant to the CRD to note the types of amenities that have already been identified.

Content

This collaborative project is currently in the planning stages. The project would include:

- a larger permanent home for the Hands On Children's Museum,
- a new administrative and education centre at the Budd Inlet wastewater treatment plant,
- a centrally located public plaza and gathering space,
- a focus on constructing LEED certified buildings,
- revitalization of the East Bay waterfront,
- improved connection between East Bay, Olympia, and surrounding communities, and
- a new City Hall (LOTT 2008).

Process

No active community consultation information is available for this project.

Portland, Oregon – East Side Combined Sewer Overflow Tunnel Project

Nature of Project

The construction of the East Side Combined Sewer Overflow (CSO) Tunnel Project is part of a larger CSO project in the City of Portland. The East Side Project includes the construction of a six mile-long, 22-foot diameter tunnel, seven tunnel access shafts, connecting pipelines, a new pressure sewer line, and continued operational upgrades at pump and wastewater treatment plants (City of Portland 2009).

Content

The project budget is \$464 million and construction started in 2006. Expected completion of the Project is 2011. In October 2007, the Portland Bureau of Environmental Services awarded \$1.77 million to local organizations to create community projects in east side neighbourhoods and business districts affected by the Project.

Process

A citizen advisory committee with representatives from neighbourhood and business associations, environmental groups, and citizens from affected areas evaluated the funding applications. In total, 21 community groups were awarded funding for environmental restoration, transportation, bicycle, and pedestrian facility improvements, trails, and art and education projects.

King County, Washington – Brightwater Wastewater Treatment Facility

King County negotiated a series of agreements with local governments to mitigate the short- and long-term impacts of constructing and operating the \$1.8 billion Brightwater wastewater treatment facility. These agreements included seismic and odour control measures, design guidelines (developed through community consultation), a permitting process, and funding for community benefits and mitigation (at least 10% of the total cost of the project).

The community benefits include:

- \$70 million in funding to Snohomish County (\$30.4 million for new and existing parks, \$25.85 million for pedestrian and bike paths, and \$10.8 million for habitat mitigation and conservation),
- landscaping and 43 acres of open space and trails on the site, and
- an education and community centre with free use for local government and non-governmental organizations if they provide services that benefit the public (\$8 million).

Pine Creek Wastewater Treatment Facility, Calgary, Alberta

The Pine Creek Wastewater Treatment Facility in Calgary, Alberta includes the following amenities:

- a wastewater research centre, Advancing Canadian Wastewater Assets, a partnership with the University of Calgary,
- reclaimed water for irrigation to the adjacent city tree nursery and the private golf course, and

- public paths that connect with the city's corridor along the Bow River, Elbow River, and Fish Creek Provincial Park.

Whistler Wastewater Treatment Facility, Whistler, British Columbia

Whistler recently upgraded their existing wastewater treatment facility. The upgrades included some community amenities such as an industrial-size composting facility, and heat captured from the treated effluent to provide 95% of space and water heating for the Athletes Village neighbourhood.

Gold Bar Wastewater Treatment Facility, Edmonton, Alberta

Gold Bar Wastewater Treatment Facility in Edmonton, Alberta is connected to Petro Canada's refinery by a 5.5 km pipeline that conveys treated effluent that the refinery uses to produce hydrogen and steam. Reclaimed water stocks the lakes in the river valley parks near the facility and is used for park irrigation and snowmaking (for the cross-country ski trails).