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**Minutes of a Meeting of the Core Area Liquid Waste Management Committee
Held Wednesday, December 11, 2013, and continued on January 8, 2014,
in the Board Room, 625 Fisgard St., Victoria, BC**

Present: **Directors:** D. Blackwell (Chair), J. Brownoff (Vice-Chair), M. Alto (9:38 and 11:47), S. Brice, J. Cullington (for C. Hamilton, 10:03), V. Derman, D. Fortin, L. Hundleby (for B. Desjardins), B. Isitt (9:45), J. Herbert (for N. Jensen), V. Sanders (for F. Leonard), D. Screech (for G. Hill), L. Seaton, L. Wergeland, G. Young
Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; T. Robbins, General Manager, Integrated Water Services; A. Sweetnam, Program Director, Seaterra Program; T. Brcic, Deputy Program Director, Core Area Wastewater Treatment Program; S. Henderson, Manager, Real Estate Services; M. Peckham, Program Manager, Wastewater Treatment Plant, R. Sharma, Senior Manager, Financial Services; S. Santarossa, Corporate Officer; M. Montague (Recorder)

The meeting was called to order at 9:35 a.m.

1. Approval of Agenda

MOVED by Alternate Director Herbert, **SECONDED** by Director Brice,
That the agenda, and supplementary agenda be approved and that the speaking time for delegations be reduced to three minutes from five minutes.

CARRIED

Director Derman and Alternate Director Hundleby OPPOSED

2. Motion to Close the Meeting

MOVED by Director Brownoff, **SECONDED** by Alternate Director Sanders,
That the Committee close the meeting in accordance with the *Community Charter* Part 4, Division 3, Section 90(1) (m) a matter that, under another enactment, is such that the public may be excluded from the meeting.

CARRIED

The Committee moved to the closed session at 9:37 am.

The Committee rose from the closed session at 10:37 am without report.

All members of the Committee were present as noted above save Director Alto.

3. Adoption of the Minutes of October 9 and October 23, 2013 (continued on November 4)

MOVED by Director Brice, **SECONDED** by Director Screech,
That the minutes of October 9 and October 23, 2013 (continued on November 4) be adopted as circulated.

CARRIED

4. Chair's Remarks: The Chair wished everyone a Merry Christmas.

5. Presentations/Delegations

- 1) Ed Ishiguro, re agenda item 6: spoke about the impact delays in the projected timeline will have on the sewage treatment project and on the environmental wellbeing of Victoria Bight. He noted that fecal coliform analyses were run on samples collected at various locations in Victoria Bight and provided those results.
- 2) Michelle Coburn, re agenda item 8: spoke about the importance of the committee continuing to move forward without expanding the Seaterra Project in scope and without the continued pauses and delays that seem to be taking place. She noted that the project must be completed in order to stop the degradation of the waters off the City of Victoria.
- 3) Beth Burton-Krahn, re agenda item 9: spoke of the need for EIS and ESRs for all facilities in the Capital Region. She noted that the requirement for ESRs will be removed in Amendment 9 and requested information on where the funds will go if the studies are not completed.
- 4) Janet Riddell, re agenda item 6: expressed concern with the Committee choosing the McLoughlin site and not taking responsibility for the design. She noted that the responsibility for extra costs should not be shifted to the citizens of Esquimalt.
- 5) Diane White, re agenda item 6: spoke in support of the approval of the rezoning of McLoughlin Point to accommodate the Sewage Treatment Plant in its present form. She noted that she does not support bargaining for this project and stated that the positive results of sewage treatment far outweigh the inconvenience associated with increased construction traffic.
- 6) Richard Atwell, re agenda item 6.b): spoke about digesters and the costs for McLoughlin Point. He asked that the costs be put together for the public in order to provide a real picture of what delays would look like.
- 7) John Newcomb, re agenda item 9: read out a letter published in the December issue of Focus Magazine on the local sewage treatment issue.
- 8) Carole Witter, re agenda item 9: expressed her concerns with the integration of the Environmental and Social Review (also known as an ESR) into the Environmental and Social Implications (ESI) and how this decision was made. She noted that the requirement to conduct ESRs is contained in the CALWMP.
- 9) Filippo Ferri, re agenda item 7.a): addressed the changes to the Core Area Liquid Waste Management Plan outlined in the Draft Amendment No. 9, specifically with respect to the biosolids processing facility proposed for the Hartland facility.
- 10) Norma Brown, re agenda item 6: expressed concerns with the visual impact of the sewage treatment facility at McLoughlin Point, how odours produced at the plant will be addressed and the suggestion to use technology in the plant that is considered to be old.
- 11) Russ Smith, re agenda item 7: expressed his concerns that, if the term biogas continues to be used in the RFQ and RFP, it will exclude other more effective sewage processing opportunities that produce, for example, sin gas, and feels that both terms should be used in the documents.

Director Alto returned to the meeting at 11:24 am.

A two-minute recess was called at 11:25 am. while technical difficulties were addressed. Technical difficulties were not resolved at this point, so the committee proceeded with the agenda.

6. McLoughlin Point Rezoning

B. Lapham spoke to the report and noted that this item had been postponed at the last meeting and was brought forward to this meeting, together with two supplementary reports. He noted that two letters from the Township of Esquimalt were also included in the package.

Technical difficulties were resolved and Mr. Pittman was invited to make his presentation at this point, as it related to this item.

- 12) Eric Pittman, re agenda item 6: following resolution of technical difficulties, Mr. Pitmann made a presentation on the suitability of the site for rezoning and the impact a tsunami may have on the facility.

The committee discussion included the following points:

- information on the heat loop
- barging vs trucking
- potential benefits and impact on the receiving site for excavated material
- rationale for grant in lieu of taxes
- mitigation impacts of construction
- rezoning negotiations
- amenity package limits
- tsunami setbacks

MOVED by Director Isitt, **SECONDED** by Director Brice,

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

- 1) Receive the Backgrounder for information;
- 2) Support the new Bylaw 2805;
- 3) Approve the Community Impact and Operating Agreement; and
- 4) Approve the Host Community Impact 5-Year Agreement.
- 5) That immediate assistance be requested from the Minister of Community, Sport and Cultural Development for arbitration to resolve the impasse between the CRD and the Township of Esquimalt in the event that an agreement is not concluded with Esquimalt.

At the request of Director Brownoff, the Chair agreed to divide the motion to consider Item 5 separately.

MOVED by Alternate Director Herbert, **SECONDED** by Director Brownoff,
That the question be called on the motion (Items 1–4).

CARRIED

The question on items 1–4 was put.

MOVED by Director Isitt, **SECONDED** by Director Brice,

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

- 1) Receive the Backgrounder for information;
- 2) Support the new Bylaw 2805;
- 3) Approve the Community Impact and Operating Agreement; and
- 4) Approve the Host Community Impact 5-Year Agreement.

CARRIED
Director Young OPPOSED

Alternate Director Herbert left the meeting at 1:02 pm.

The Committee discussed the perception of requesting immediate assistance from the Province for arbitration prior to trying to conclude an agreement with Esquimalt.

The question on Item 5 was put.

MOVED by Director Isitt, **SECONDED** by Director Brice,

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

That immediate assistance be requested from the Minister of Community, Sport and Cultural Development for arbitration to resolve the impasse between the CRD and the Township of Esquimalt in the event that an agreement is not concluded with Esquimalt.

DEFEATED
**Directors Alto, Blackwell, Brownoff, Brice, Cullington, Derman, Fortin, Hundleby,
Screech, Seaton, Wergeland and Young OPPOSED**

Adjournment

Due to a lack of time, the Chair declared the meeting adjourned at 1:05 pm and noted it will continue at a date and time to be determined.

The meeting was reconvened on Wednesday, January 8, 2014, at 9:30 a.m. in the same location, with attendance as shown below:

Present: Directors (Note: 2013 Committee Membership for Continued Meeting):
D. Blackwell (2013 Chair), J. Brownoff (2013 Vice-Chair), M. Alto, S. Brice, C. Coleman (for D. Fortin), V. Derman, B. Desjardins, C. Hamilton, G. Hill, J. Herbert (for N. Jensen), P. Madoff (for B. Isitt), V. Sanders (for F. Leonard), L. Seaton, L. Wergeland, G. Young

Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; T. Robbins, General Manager, Integrated Water Services; D. Lokken, General Manager, Finance and Technology; A. Sweetnam, Program Director, Seaterra Program; T. Brcic, Deputy Program Director, Core Area Wastewater Treatment Program; A. Orr, Senior Manager, Corporate Communications; D. Telford, Senior Manager, Environmental Engineering; S. Santarossa, Corporate Officer; N. More, Committee Clerk (recorder)

Also Present: D. Harper (Westland Resource), Seaterra Program

7. Technical and Community Advisory Committee Review of Core Area Liquid Waste Management Plan Draft Amendment (EEE 13-44, postponed from November 13, 2013), to be considered in combination with:

a) Draft Amendment No. 9 to the Core Area Liquid Waste Management Plan – Core Area Wastewater Treatment Program (EEE-51)

L. Hutcheson introduced the report (EEE 13-44) and the follow-up information (EEE 13-51).

MOVED by Director Seaton, **SECONDED** by Director Brownoff,
That it be recommended to the Capital Regional District Board:
That draft Amendment No. 9 to the Core Area Liquid Waste Management Plan be approved as amended and forwarded to the Minister of Environment for regulatory approval.

MOVED by Director Desjardins, **SECONDED** by Director Derman,
That the motion be amended to include a request for extension of the deadline to 2020.

The Committee discussed the following points:

- deadline stipulations in the various funding agreements and other agreements affected by the deadlines
- will of the Province and other funding partners regarding the deadlines
- Amendment 9 as a separate question from the deadline extension

Chair Blackwell called the question on the amendment to the motion.

DEFEATED
**Directors Alto, Blackwell, Brice, Brownoff, Seaton, Wergeland, and Young and
Alternate Directors Coleman, Madoff, Herbert and Sanders OPPOSED**

On the main motion, the Committee discussed the following points:

- language in Amendment 9 regarding biogas, innovation and climate change
- consultation regarding Hartland landfill
- technology of biogas and its environmental worth
- Amendment 9 presents conveyance of sludge by pumping rather than trucking
- commitment made to consider social impacts in the environmental assessment
- history of design of ERS and fulfillment of ERS criteria within EIS design
- item 9 of the agenda gives more detail on the EIS carried out for the land-based facilities
- how the change from an ESR to an EIS affected the money budgeted for an ESR and whether the change from an ESR to an EIS was decided upon appropriately between staff and the Committee
- public confidence, science, and measurable benefits

MOVED by Director Seaton, **SECONDED** by Director Brownoff,
That it be recommended to the Capital Regional District Board:
That draft Amendment No. 9 to the Core Area Liquid Waste Management Plan be approved as amended and forwarded to the Minister of Environment for approval.

CARRIED
Directors Derman, Desjardins, Hill and Hamilton OPPOSED

MOVED by Director Alto, **SECONDED** by Director Derman,
That it be recommended to the Capital Regional District Board:

That the CRD ask the Province to allow for a project completion date no later than the end of 2020.

On the motion, the Committee discussed the following points:

- With the adoption of Amendment 9, the request would not be for a delay to the project.
- Funding agreement deadlines could put financial pressure on decision-making.
- Reports that the Province may be willing to extend the deadline to 2020 need to be clarified with an official response from the Province.
- More information on the implications of asking the Province to consider an extension to 2020 is needed, including potential impacts on other decisions, dates, commitments, and people who have agreed to become part of the project.
- For clarification of the motion, the Committee could discuss wording for a letter to the Province.
- If a problem arises later in the process, then there could be reason to ask for an extension.
- The question could be not to ask for an extension but to receive official word whether the Province would consider one should it be necessary.
- The present alignment of all the funding agreements suggests that a favourable reply from the Province would impact the other funders and the agreements.

MOVED by Director Coleman, **SECONDED** by Director Brice,

That the main motion be deferred to the February 12, 2014, meeting when a draft letter to the Province can be put before the Committee for discussion.

CARRIED

Directors Alto, Blackwell, Derman and Desjardins OPPOSED

8. Seaterra Program and Budget Update

D. Lokken introduced the report and commented that since this meeting is a continuation from December, the report is not the most current. More current information was presented at the budget meeting. She drew the Committee's attention to portions of the report on funding agreement deadlines and project critical path, for comparison with the next update.

On the motion, the Committee commented on the need for wording in Seaterra documents that reflect the CRD Board decision not to put biosolids on land.

MOVED by Director Brownoff, **SECONDED** by Director Brice,

That it be recommended to the Capital Regional District Board:

That the Seaterra Program Monthly Program and Budget Update be received for information.

CARRIED

9. Environmental Impact Study of Core Area Wastewater Treatment Program Facilities (Terrestrial Environment, Volume I of II) (EEE 52)

D. Harper spoke to the report and used a PowerPoint presentation to illustrate main points from the Environmental Impact Study, such as:

- EIS purpose
- facilities and ancillary pipelines included in EIS
- construction and operation activities included in the assessment
- contents, preparation methods, and topics covered in the EIS
- impact assessment structure, descriptions and significance ratings
- EIS recommendations

On the motion, the Committee discussed the following points:

- Previous reports assessed marine environment and air quality impacts.
- Expected benefits include decreased amount of solids discharged to the ocean and decreased BOD rates. Research is ongoing for substances of emerging concern.
- An EIS is based on the kinds of effects that can be anticipated from proposed ground disturbing activity and is designed partly from a technical viewpoint and partly based on public input as to what specific effects should be assessed.
- Public sessions, reports, and other work activities were carried out and then it was determined that economies and clarity would be reached if studies were subsumed under the triple bottom line analysis. Money was spent on negotiating the EIS structure with the Province.
- There has been ongoing engagement with First Nations.
- Project documents have been added to the Seaterra website.
- The Hartland EIS will be conducted over the coming weeks and the Committee will receive an update.
- Meetings will be held with the municipalities on the alignment of pipes, and related EIS assessments will be done.
- It will be determined whether the EIS findings will be changed by the relocation of the Biosolids Energy Centre to Hartland. As well, public concern expressed about groundwater effects may lead to more work in assessing that area. Those factors will be shown in the budget.

MOVED by Director Seaton, **SECONDED** by Director Hill,

That it be recommended to the Capital Regional District Board:

- 1) That the Environmental Impact Study of Core Area Wastewater Treatment Program Facilities – Terrestrial Environment Volume I of II (October 2013) by TERA Environmental Consultant be received for information;
- 2) That staff be directed to forward the Environmental Impact Study of Core Area Wastewater Treatment Program Facilities – Terrestrial Environment Volume I of II (October 2013) to the Ministry of Environment; and
- 3) That staff be directed to share the Environmental Impact Study of Core Area Wastewater Treatment Program Facilities – Terrestrial Environment Volume I of II (October 2013) with the public by: advertising in the local newspapers that the study is available on the CRD website; forwarding the study to the Technical and Community Advisory Committee for information; and forwarding the study to the Aboriginal Initiatives Division for referral to appropriate First Nations.

CARRIED

The Committee discussed the money originally budgeted for an Environmental and Social Review and on the following motion, the Committee discussed the change of name from ESR to EIS and whether the public will receive what it expected from the process.¹

MOVED by Director Desjardins, **SECONDED** by Director Derman,
That staff be requested to report on the money allocated to an Environmental and Social Review: what has been spent to date and under what authority, funds remaining and where they are accounted for and how will they be allocated in 2014.

CARRIED

10. New Business: There was no new business.

11. Adjournment

MOVED by Director Derman, **SECONDED** by Director Brownoff,
That the meeting be adjourned at 11:26 am

CARRIED

CHAIR

RECORDER

¹ At the CALWMC meeting of 12 February 2014, the Committee discussed whether the minutes mentioned in sufficient detail the discussion point about the money budgeted for the ESR.